# WILLKIE FARR & GALLAGHER LLP

1875 K Street, N.W. Washington, DC 20006-1238

Tel: 202 303 1000 Fax: 202 303 2000

September 9, 2015

## **VIA ECFS**

Ms. Marlene H. Dortch Secretary Federal Communications Commission 445 12th Street, SW Washington, DC 20554

Re: Special Access for Price Cap Local Exchange Carriers, WC Dkt. No. 05-25;

AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services, RM-10593

Dear Ms. Dortch:

Pursuant to the procedures outlined in the *Modified Protective Order*, <sup>1</sup> *Second Protective Order*, <sup>2</sup> and *Data Collection Protective Order*, <sup>3</sup> I hereby submit Acknowledgments of Confidentiality executed by Michael G. Jones, Mia Guizzetti Hayes, and the undersigned of Willkie Farr & Gallagher LLP, outside counsel to Birch Communications, Inc., BT Americas Inc., COMPTEL, EarthLink, Inc., and Level 3 Communications, LLC, for purposes of reviewing confidential and highly confidential information and data filed in the above-referenced proceedings, including information and data submitted in response to the Commission's special access data collection.

<sup>&</sup>lt;sup>1</sup> In the Matter of Special Access for Price Cap Local Exchange Carriers, Modified Protective Order, 25 FCC Rcd. 15168 (2010) ("Modified Protective Order").

<sup>&</sup>lt;sup>2</sup> In the Matter of Special Access for Price Cap Local Exchange Carriers, Second Protective Order, 25 FCC Rcd. 17725 (2010) ("Second Protective Order").

<sup>&</sup>lt;sup>3</sup> In the Matter of Special Access for Price Cap Local Exchange Carriers; AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services, Order and Data Collection Protective Order, 29 FCC Rcd. 11657 (2014) ("Data Collection Protective Order"); see also Wireline Competition Bureau Now Receiving Acknowledgments of Confidentiality Pursuant to Special Access Data Collection Protective Order, Public Notice, 30 FCC Rcd. 6421 (2015).

Please contact me at (202) 303-1249 if you have any questions regarding this submission.

Respectfully submitted,

/s/ Stephanie Power

Counsel for Birch, BT Americas, COMPTEL, EarthLink, and Level 3

Enclosures

cc: SpecialAccess@fcc.gov

#### APPENDIX C

# Acknowledgment of Confidentiality WC Docket No. 05-25; RM-10593

I am seeking access to [] only Confidential Information or Confidential and Highly Confidential Information.

I hereby acknowledge that I have received and read a copy of the foregoing Data Collection Protective Order in the above-captioned proceeding, and I understand it.

I agree that I am bound by the Data Collection Protective Order and that I shall not disclose or use Stamped Confidential Documents, Stamped Highly Confidential Documents, Confidential Information, or Highly Confidential Information except as allowed by the Data Collection Protective Order.

I acknowledge that a violation of the Data Collection Protective Order is a violation of an order of the Federal Communications Commission (Commission). I further acknowledge that the Commission retains its full authority to fashion appropriate sanctions for violations of this Data Collection Protective Order, including but not limited to suspension or disbarment of Counsel or Outside Consultants from practice before the Commission, forfeitures, cease and desist orders, and denial of further access to Confidential or Highly Confidential Information in this or any other Commission proceeding.

I acknowledge that nothing in the Data Collection Protective Order limits any other rights and remedies available to a Submitting Party at law or in equity against me if I use Confidential or Highly Confidential Information in a manner not authorized by this Data Collection Protective Order.

I certify that I am not involved in Competitive Decision-Making.

Without limiting the foregoing, to the extent that I have any employment, affiliation, or role with any person or entity other than a conventional private law firm (such as, but not limited to, a lobbying or advocacy organization), I acknowledge specifically that my access to any information obtained as a result of the Data Collection Protective Order is due solely to my capacity as Counsel or Outside Consultant to a party or as a person described in paragraph 9 of the Data Collection Protective Order and agree that I will not use such information in any other capacity.

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I certify that I have verified that there are in place procedures at my firm or office to prevent unauthorized disclosure of Confidential Information and Highly Confidential Information.

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Michael G. Jones Special Counsel

Willkie Farr & Gallagher LLP

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### WC Docket No. 05-25, RM-10593

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Executed at Washington, D.C. this 9th day of Septendon, 2015

Michael G. Jones Special Counsel

Willkie Farr & Gallagher LLP

1875 K Street, NW Washington, DC 20006

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Michael G. Jones

Special Counsel

Willkie Farr & Gallagher LLP

1875 K Street, NW Washington, DC 20005

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Was Crizeth Houses

Mia Guizzetti Hayes

Associate

Willkie Farr & Gallagher LLP

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Executed at Nashing form, to this may day of September 2015

Mia Guizzetti Hayes

Associate

Willkie Farr & Gallagher LLP

1875 K Street, NW Washington, DC 20006

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Associate

Willkie Farr & Gallagher LLP

1875 K Street, NW

Washington, DC 20005

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Stephanie Power

Associate

Willkie Farr & Gallagher LLP

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Associate

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